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July 24, 2007

The Honorable David E. Power, Presiding Judge
Superior Court, State of California, County of Solano
Hall of Justice
530 Union Avenue
Fairfield, CA 94533

Dear Judge Power:

Under Penal Code sections 933 and 933.05, the Board of Supervisors is responding to the findings and recommendations in the following 2006/2007 Grand Jury Reports as they pertain to matters under the control of the Board of Supervisors:

- Part I – Solano County Justice Center Detention Facility Inspection;
- Part II – Solano Justice Building Court Holding Facility – Vallejo;
- Part III – Claybank Detention Facility;
- Part IV – Solano County Veterans' Buildings;
- Part V – Solano County Health & Social Services Department In-Home Supportive Services;
- Part VI – Fouts Springs Youth Facilities;
- Part VII – Solano County Food Establishment Inspection;
- Part VIII – Permission to Carry a Concealed Weapon;
- Part IX – Juvenile Detention and New Foundations Facilities; and
- Part X – Solano County Animal Care Services.

The Board's responses are limited to those areas of the respective reports where the County of Solano has responsibility and authority.

In this response, the Grand Jury Findings and Recommendations are listed followed by departmental and then Board of Supervisors' responses.

Sincerely,


Michael J. Reagan, Chairman
Solano County Board of Supervisors

Enclosures

Cc: Grand Jury

Part VI

Fouts Springs Youth Facility

Issued May 21, 2007

Solano County Chief Probation Officer and Board of Supervisors responses to findings and recommendations:

Finding 1 – Solano and Colusa Counties pay more per ward than other participants. Other counties receive a 35 percent subsidy per ward, which is \$1900.

Probation's Response to Finding 1 – Probation agrees that Solano and Colusa Counties pay more per ward than other participants.

Board of Supervisors' Response to Finding 1 – The Board of Supervisors agrees with the Department's response to the Grand Jury's finding.

Recommendation 1 – The Joint Powers Authority should establish ward rates that are equal for all counties.

Probation's Response to Recommendation 1 – The recommendation will not be implemented because it is not warranted. The current rate structure was put in place to ensure a balanced budget and keep Fouts in operation for the use of owner counties. The user county rate is set as high as the market will allow. A higher rate would cause fewer counties to use the program reducing revenue and putting the program at risk. Fouts provides a unique program that is of great value to Solano County making payment of the higher rate worthwhile; however, the rate structure is being reviewed annually and the goal is to balance the rates for all counties when the market will allow.

Board of Supervisors' Response to Recommendation 1 – The Board of Supervisors will not implement the Grand Jury's recommendation. The participation of non-member counties in the Fouts Springs program is vital to the overall cost effectiveness of the program as a sentencing alternative for Solano County wards. The rate structure was developed to allow the County to maximize revenues while maintaining Title 15 staffing ratios. Without non-member county participation, the cost to the member counties would increase substantially and the County would not be able to sustain this valuable program resource.

Finding 2 – There is no consistent method of record keeping that tracks the success rate of a ward's return to the community.

Probation's Response to Finding 2 – Probation disagrees partially. Solano County is able to track Solano County commitments to Fouts as long as they remain on probation. Fouts has a process in place to request follow up information from other counties.

Board of Supervisors' Response to Finding 2 – The Board of Supervisors agrees with the Department's response to the Grand Jury finding. The Department has implemented a system to track outcomes and has provided the Board data on program outcomes. The Board acknowledges that long term data is more difficult to sustain because individuals no longer on probation are more difficult to contact as they change residences or move out of the area.

Recommendation 2 – Participating counties should be required to track and report back to the Solano County Probation Department on released ward performance to evaluate the success of Fouts Springs programs.

Probation's Response to Recommendation 2 – The recommendation will not be implemented because it is not reasonable. Imposition of a requirement to provide follow up information could adversely affect user county interest in placing minors at Fouts.

Board of Supervisors' Response to Recommendation 2 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation. The County has no jurisdictional basis to institute this type of requirement. If information is readily available the Board would encourage the Department to track this information.

Finding 3 – Fouts Springs ward capacity is 160. At the time of our inspection, there were 49 wards, which represent a 69 percent vacancy rate.

Probation's Response to Finding 3 – Probation disagrees partially. Although there are 160 beds at Fouts, the facility is staffed for a capacity of 60.

Board of Supervisors' Response to Finding 3 – The Board agrees with the Department's response to the Grand Jury finding. Programming and staffing has been set at 60 based on demand and need. The vacancy rate is typically less than 5% and the most recent weekly count indicated that it was operating at full capacity.

Recommendation 3 – The Fouts Springs governing board, in conjunction with the Solano County Probation Department, should develop an aggressive marketing campaign to bring Fouts Springs to its current maximum capacity. The Director of Fouts Springs should develop promotional material, including a video, featuring Fouts graduates, to promote Fouts to other counties.

Probation's Response to Recommendation 3 – The recommendation has been implemented and as a result of the aggressive marketing campaign that is in place, the average daily population (ADP) has remained close to current maximum capacity of 60. The ADP for FY2006-2007 is 56.02. The ADP for the last quarter is 57.06. At this time there is a limited need for the program provided at Fouts which is designed for high risk offenders. The 60 bed program is meeting the current needs of owner and user counties.

Board of Supervisors' Response to Recommendation 3 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation. An aggressive marketing program for Fouts Springs has been in place for several years.

Finding 4 – The sentencing of wards to Fouts Springs is determined by a judge after a probation department's report is presented.

Probation's Response to Finding 4 – Probation agrees.

Recommendation 4 – The probation department's recommendation to the judge should give a clear picture of the benefits in sentencing a ward to Fouts Springs.

Probation's Response to Recommendation 4 – The recommendation has been implemented. The Probation Department has a long standing policy that Probation reports recommending Fouts include information regarding the anticipated benefit of Fouts placement for the minor.

Board of Supervisors' Response to Finding and Recommendation 4 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation.

Finding 5 – Vocational shop equipment appears antiquated.

Probation's Response to Finding 5 – Probation disagrees partially. Wood shop equipment is regularly refreshed.

Board of Supervisors' Response to Finding 5 – The Board of Supervisors disagree with the Grand Jury finding. Equipment is adequate for vocational programming provided by Colusa County Superintendent of Schools.

Recommendation 5 – All vocational shop equipment should be brought up to current industry standards. This would give the wards a better employment opportunity upon their release.

Probation's Response to Recommendation 5 – The recommendation has been implemented in regard to wood shop where at least one piece of equipment is refreshed every year using funds available for that purpose. The recommendation will not be implemented in regard to the welding and auto shops because it is not reasonable. The vocational program at Fouts is provided by the Colusa County Superintendent of Schools and purchase of new equipment is limited by availability of funds. As funds become available new equipment can be purchased; however, the equipment currently in use does not hinder wards from developing marketable skills. For example, an average of one minor per month receives certification through the American Welding Society.

Board of Supervisors' Response to Recommendation 5 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation.

Finding 6 – The Solano County tax payers bore \$1.5 million dollar debt expenditure for capital improvements, by Board of Supervisor's action, at Colusa County's Fouts Springs' location.

Probation's Response to Finding 6 – Probation agrees.

Board of Supervisors' Response to Finding 6 – The Board of Supervisors agrees with the Department's response to the Grand Jury's finding. The decision to approve a General Fund contribution of \$1.5 million to the Fouts Springs enterprise fund was based the County's commitment to ensuring the financial viability of a worthwhile sentencing option for juveniles in Solano County.

Recommendation 6 – Any future capital debt assumption should be evaluated in terms of what is best for Solano County taxpayers.

Probation's Response to Recommendation 6 – It is anticipated that the recommendation will be followed when capital projects are considered in the future as past practice has been to carefully analyze the benefit of such projects prior to seeking Board approval.

Board of Supervisors' Response to Recommendation 6 – The Board of Supervisors agrees with the Department's response to the Grand Jury's recommendation. As the elected officials representing Solano constituents, the Board is cognizant of its obligation to diligently evaluate capital project to ensure they best serve the residents and taxpayers of Solano County.